

House Engrossed

State of Arizona  
House of Representatives  
Forty-sixth Legislature  
Second Regular Session  
2004

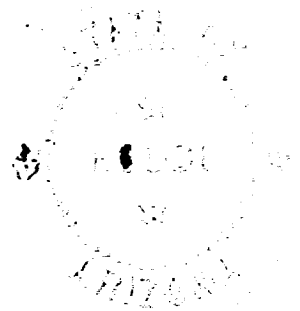
CHAPTER 60

# HOUSE BILL 2038

AN ACT

AMENDING SECTION 28-2010, ARIZONA REVISED STATUTES; RELATING TO THE  
MOTORCYCLE SAFETY ADVISORY COUNCIL.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-2010, Arizona Revised Statutes, is amended to  
3 read:

4 28-2010. Motorcycle safety fund; administration; advisory  
5 council

6 A. A motorcycle safety fund is established consisting of monies  
7 deposited pursuant to subsection B of this section and monies from gifts,  
8 grants and other donations. The director of the governor's office of highway  
9 safety shall administer the fund. On notice from the director of the  
10 governor's office of highway safety, the state treasurer shall invest and  
11 divest monies in the fund as provided in section 35-313, and monies earned  
12 from investment shall be credited to the fund. Up to ten per cent of the  
13 monies in the fund may be used for administrative costs. Monies in the fund  
14 are subject to legislative appropriation and are exempt from the provisions  
15 of section 35-190 relating to lapsing of appropriations, except that all  
16 monies in the fund that are deposited pursuant to subsection B of this  
17 section and that exceed one hundred fifty thousand dollars revert to the  
18 state highway fund.

19 B. Notwithstanding section 28-2004, through June 30, 2005 2010, the  
20 director of the department of transportation shall deposit, pursuant to  
21 sections 35-146 and 35-147, one dollar of each motorcycle registration fee  
22 collected pursuant to section 28-2003 in the motorcycle safety fund.

23 C. Subject to legislative appropriation, the director of the  
24 governor's office of highway safety shall use monies deposited in the  
25 motorcycle safety fund pursuant to this section, after consultation with the  
26 state motorcycle safety advisory council, to implement and support voluntary  
27 motorcycle education, awareness and other programs, including covering the  
28 cost of materials for motorcycle safety, education and awareness programs.

29 D. Through June 30, 2005 2010, the state motorcycle safety advisory  
30 council is established consisting of five members who have experience in  
31 motorcycle safety and who are appointed by the governor for three year  
32 terms. Members may be removed for cause and may be reappointed. The council  
33 shall meet at least quarterly and on the call of the director of the  
34 governor's office of highway safety for advice on the expenditure of monies  
35 in the motorcycle safety fund.

APPROVED BY THE GOVERNOR APRIL 8, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 9, 2004.

Passed the House March 9, 2004

Passed the Senate April 1, 2004

by the following vote: 58 Ayes,

by the following vote: 25 Ayes,

0 Nays, 2 Not Voting

3 Nays, 2 Not Voting

Jake Flake  
Speaker of the House

Ken Bennett  
President of the Senate

Gorman L. Moore  
Chief Clerk of the House

Charmine B. Binger  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

5th day of April, 2004

at 2:40 o'clock P. M.

Jennifer Uparra  
Secretary to the Governor

Approved this 8 day of

April, 2004

at 4<sup>00</sup> o'clock P. M.

J. N. Nizkor  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 9 day of April, 2004

at 10:45 o'clock A M.

Prince K. Brewer  
Secretary of State

H.B. 2038